

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

Filed: February 29, 2024

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YARON PARTOVI,

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No. 23-1094V

Petitioner,

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v.

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Special Master Gowen

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SECRETARY OF HEALTH
AND HUMAN SERVICES,

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Respondent.

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* * * * *

Yaron Partovi, pro se, Granada Hills, CA.

Jamica M. Littles, U.S. Department of Justice, Washington, D.C., for respondent.

DECISION ON DAMAGES¹

On July 17, 2023, Yaron Partovi (“petitioner”), *pro se*, filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*² (the “Vaccine Act”). Petitioner alleges that he suffered a shoulder injury related to vaccine administration as a result of receiving an influenza (“flu”) and human papillomavirus (“HPV”) vaccinations on October 12, 2022. Petition (ECF No. 1).

On February 29, 2024, respondent filed a combined Rule 4(c) Report and Proffer in which he concedes that petitioner is entitled to compensation in this case. Respondent’s Rule 4(c) Report and Proffer at 1, 3 (“Resp. Rept and Proffer”). That same day, I issued a Ruling on Entitlement.

Respondent represents that Petitioner agrees to his proffer on an award of compensation. *Id.* at 4. Based on the record as a whole, I find that petitioner is entitled to an award as stated in the Proffer.

¹ Because this Ruling contains a reasoned explanation for the action taken in this case, it must be made publicly accessible and will be posted on the United States Court of Federal Claims’ website, and/or at <https://www.govinfo.gov/app/collection/uscourts/national/cofc>, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2018) (Federal Management and Promotion of Electronic Government Services). **This means the Ruling will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

Pursuant to the terms stated in the combined Rule 4(c) Report and Proffer³, I award the following compensation:

A lump sum of \$40,000.00, representing pain and suffering, in the form of a check payable to petitioner. Resp. Rept. and Proffer at 4. This amount represents all elements of compensation to which petitioner is entitled under 42 U.S.C. § 300aa-15(a). *Id.*

The Clerk of the Court is directed to enter judgment in accordance with this decision.⁴

IT IS SO ORDERED.

s/Thomas L. Gowen
Thomas L. Gowen
Special Master

³ Because the combined Rule 4(c) Report and Proffer contains information regarding petitioner's personal medical history, which is not generally included in a Proffer when separately filed, it is not attached hereto.

⁴ Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by the parties' joint filing of notice renouncing the right to seek review.